G. R. S. 59] GPB—15,000—20-12-13

GENERAL AND REVENUE SECRETARIAT.

191 .
(1888-89)
Cts

File No. 2 of 88-89

Serial Nos. 1–5

P11

Papers Filed.

Correspondence Re

Month August.

SUBJECT.

Pay and acting allowance to Mr. E Sydney Smith as Government Advocate

PREVIOUS REFERENCES.	LATER REFERENCES.
	Cs. 3 of 88-89.

SECTION Courts

FILE No. 2 of 88-89.

SERIAL No. 1

Ms 1708 31/12/88 Notification

Mr A Ramachandra Jr, Judge of the Chief Court is granted privilege leave for two months from 6th January 1889 under S 36 of the Civil Leave ~~A.L.C.~~ Code.

Mr C. Meenakshya ~~Esqr~~ is appointed to act as Judge of the Chief Court during the absence of Mr A. Ramachandra Jr or until further orders

Mr E. Sidney Smith is appointed to act as Govt. Advocate during the absence of Mr C. Meenakshya or until further orders

By Order

Chief Secretary

24/12/88 approved

To The Compiler, Mysore Gazette for publication

Copy to the Registrar of the Chief Court for the information of the Judges of the Chief Court. 25/12/88

Copy to Mr C. Meenakshya for information & guidance

" to Mr E. Sidney Smith for do

Refer and
25/1

(General Serial No. 31.)

P 28/1

1889. 7940

From 236.

The Comptroller

C.1 Submits.
28/1 S.H.G

Sulet
25/1

To

The Chief Secretary
to the Government

R 20/1890

Dated 25

Despatched 25 January 89

Received

Enclosures No.

General No. 3275
No.

Enquiring whether
Chapter VII of the Civil
Leave Code or section 55
of the Pay and Allowance
Allowance Code is to be
applied in the case of
Mr. Sydney Smith
while acting Government
Advocate.

1

31/1

2

No. 3275

COMPTROLLER'S OFFICE 25 JAN 88

OFFICE OF THE COMPTROLLER OF MYSORE,

Bangalore, 25th January 188 9

SECTION Covers

FILE No. 2 of 88-89

SERIAL No. 2

From

A. RANGASWAMI IYENGAR, ESQ.,

Comptroller of Mysore.

To

The Chief Secretary to
the Dewan
of Mysore

SIR,

With reference to the Dewans Notification No: 170 dated 31st December 1888 appointing Mr. E. Sidney Smith to act as Government Advocate during the absence of Mr. C. Meenakshaya on other duty, I have the honor to enquire whether his Acting allowances may be regulated by the provisions of Chapter VII of the Civil Leave Code, which applies to Law Officers of Government including Government Advocate, or under Section 55 of the Pay and Acting allowance Code.

According to Rule XIV Section 94 of Chapter VII of the Civil Leave Code, he will be entitled to 2/3rds of the pay of the Acting Appointment, i.e. Rupees 333-5-4 a month but we think for picture of the allowance

allowance for the first thirty days under Section 5 of the Pay and Acting allowance Code which applies only to Cases governed by that Code. If the Madras Civil Leave Code be deemed applicable to his case, he may claim full pay of the appointment under Section 55 of that Code, as Mr. Meenakshaya draws as part of his pay as Government Advocate but cannot get any allowances for the first thirty days under Sections 5 and 6 of the Salem Code.

I may add that full pay was sanctioned to him when he acted as Government Advocate during the absence of Mr. Meenakshaya on duty during the trip to Northern India of His Highness the Maha Raja, under the impression that Section 55 of the Pay and Acting allowance Code applied to his case, and that full pay was sanctioned to Sundaram Iyer as a Special case, when he acted as Public Prosecutor Shemoga in 1888 under Revenue Proceedings No. 3343-4/212 dated 8th

No. 3343-4/212

8th August 1888, which ruled that the Rules of Acting Allowance Code cannot be strictly applied to cases in which the services of Professional men have to be engaged for short periods

I have the honor to be

Sir

Your most obedient Servant

A Langsam

Com Stroller

Upper Government

Reply 28/3

(General Serial No. 31.)

1889. 9444.

23 MAR 89

305

DEPARTMENT OF

From

Being up. I think it worth the Dewan's [illegible] this reminder as well. R.

To The Chief Secretary to the Dewan of Mysore

Dated 22

Despatched 23

Received

COMPTROLLER'S OFFICE 23 MAR 89 MYSORE

Enclosures No.

SECTION Courts

FILE No. 2 0188-89

SERIAL No. 3

General No. 3957

No.

9/20/1892

5731/47

Letter Issued No.

7940.

This Office No. 3275

Dated 24th January 1889 en-

quiring whether the Acting

Advocate of Mr. E. S. Smith

appointed to act as Government

Advocate may be regulated

by the provisions of Chapter

VII of the Civil Code of

Has the honor to invite

his attention to the above and

to request an early reply thereto

I am

Sir

Your obedient

Servant

Comptroller

(General Serial No. 31,)

OFFICE OF THE
2652
11 JUL 89
130
DEWAN OF MYSORE.

188 9.

From

A Ranganavaiah Iyengar Esq
Controller
of Mysore

To

The Chief Secretary
to the Govt. of Mysore

Dated 10
Despatched 11" July
Received

Enclosures No.

General No. 1296
No.

Referring to Notifn No. 248 of 14th June 89, requests early reply to his office No. 3275 of 24th Janry 89 regarding the allowances to be drawn by Mr E. Smith while offg as Govt. advocate.

Submitted.

24/7

Rs

Renewed 14 additional [illegible]
[illegible] Subs[illegible]
appt and deputed to act [illegible]
[illegible]
in this con.
Mr Smith holds
as Subs[illegible]
appt
for pay of Rs 21 To be allowed
[illegible]

20/8/90

Rs 21/-

4.51

SECTION Civil

FILE No. 2 & 88-89

SER'AL No. 4.

No. 1296

COMPTROLLER'S OFFICE 10 JUL 89 MYSORE

OFFICE OF THE COMPTROLLER OF MYSORE,

Bangalore, 11th July 1889.

From

A. RANGASWAMI IYENGAR, Esq.,

Comptroller of Mysore.

To

The Chief Secretary
to the Government of Mysore

Sir

With reference to the Notification No. 248 dated 14th June 1889 appointing Mr. E. Smith to act as Government Advocate during the absence of Mr. Meenakshya on other duty, I have the honor to request the favor of an early reply to this office No. 3275 dated 24th January 1889 regarding the acting allowances to be drawn by him while officiating as Government advocate.

Brief
Lay on 29-1-89.

Vide file below.

As already explained, in the letter alluded to above, he is in the present instance entitled to 2/3rds of the pay of the acting appointment i.e Rs. 333-5-4 a month under the provisions of Rule XIV, section 94, Chapter VII of the Civil Leave Code, or Rupees 500/ the full pay of the appointment under section 55 of the Pay and Acting Allowance Code since Mr. Meenakshya draws no part of his pay as Government Advocate.

His

His allowance on the present is on the former occasions has been provisionally passed by this office at Rs. 500/ a month pending orders.

I have the honor to be
Sir,
Your most obedient Servant

A Rangaswamy
Comptroller
of Mysore

1/A-34

(General Serial No. 30).

1890.

From

SECTION Correct

FILE No. [illegible]

SERIAL No. 5

To The Comptroller in Mysore.

Dated 20-8-90

Despatched 21

Received

Enclosures No.

General No. 5731

No. 407 of 1296

His Letters No 3275 of 25th June and 10th July 1889 respectively 1889, enquiring whether Ch VII of the Civil Leave Code or Sec 5-5- of the Pay & Acting Allowance Code is to be applied in the case of Mr Sydney Smith the acting Government Advocate

In reply I have

~~Have the honor to~~ observe that Rule XV Sec: 94 of Ch: VII of the Civil Leave Code was applied to Mr Smith as he ~~applied for~~ was officiating ~~holding~~ the ~~substantive appointment~~ appointment when he was deputed to act for the Government advocate, ~~but as Mr Smith is in the~~ as the duties of the ~~Case holder is substantive~~ appointment ~~should be considered~~ under the circumstances not to be allowed ~~to him under~~ ~~Section 5-5 of the Pay & Acting~~ Allowance Code. ~~applied~~ By order

Bil 20/8 To Chief Sec